

## Asia Civil Society Day - 5 December 2016

*We envision a just world where migrants rights are respected, protected, and fulfilled. Justice for migrants means state solidarity with all people affected by migration, where justice encapsulates social, economic, cultural and political rights for all people irrespective of legal status.*

A broad coalition of Civil Society Organisations (CSOs), including migrant, labour rights organisations and trade unions from across Asia came together on the 5th December 2016 in Dhaka, Bangladesh, ahead of the Global Forum on Migration and Development (GFMD). It was a unique opportunity to discuss the challenges that migrants from and in Asia share and the strategies that Asian Civil Society needs to engage in to forge a path to equality, rights, and justice for migrants everywhere. Based on our collective issues and concerns, we are making the following comments to Governments and policy makers;

**Migrant Rights are Human Rights:** Governments must ensure that all migration and development policies designed and implemented at national, regional, and international levels are based on a human centered approach. This means giving primacy to the needs, priorities and rights of migrants and refugees as humans, rather than as economic entities, and is vital in the context of emerging policies that externalize and militarise borders, undermining the human rights of migrants and refugees. States must also endeavour to transform racist and xenophobic narratives against migrants and refugees, and to embrace the social and cultural wealth that migrants bring to countries of destination.

**Centering Migrant Voices in Governance of Migration:** Migrants must be involved in the processes that affect their lives. At this critical juncture for global migration governance, support by States for meaningful and sustained involvement of migrants, trade unions, and civil society organisations in the multiple ongoing processes at regional and international levels is needed. This includes the GFMD, Global Compacts on Refugees and Migration, implementation of 2030 Agenda for Sustainable Development, Colombo Process, Abu Dhabi Dialogue, South Asian Association for Regional Cooperation (SAARC), Association of Southeast Asian Nations (ASEAN), among others.

**Global Governance of Migration:** We want global governance on migration that works for the human rights of migrants. Governance mechanisms, including the Global Compacts on Migrants and Refugees, and the stakeholders entrusted with their negotiation, must fulfill the highest international rights standards. To this end, states must look at existing international standards on labour rights and migrant rights, acknowledge the intersectionality of these rights with other rights areas, the related conventions which must continue to be ratified and implemented. We also call on governments to reject development models that commodify humans, depend on remittances, and exploitative, precarious work in the absence of sustainable development. Migration cannot be a strategy for the economic development of a country, and we call on governments to create decent jobs at home. Commitments to the goals and targets enshrined in the 2030 Agenda for Sustainable Development must be implemented and delivered on through comprehensive national plans, where migrant constituencies are recognized as core to the monitoring, follow-up and review processes.

**Equality and Access to Justice for Migrants:** The two-tiered economic systems in countries of destination that differentiate between migrant workers and citizens in terms of pay and access to social protections need to be eliminated. States must ensure that migrants have access to social security and labour rights in both countries of origin and destination, and can also access justice mechanisms to adjudicate these rights. In origin countries, availability of social protection and decent work can also alleviate the pressure to migrate.

There is urgent need for countries of origin to develop greater cohesiveness and solidarity through mechanisms such as regional MoUs, to establish and common standards like zero recruitment fees, a living wage, decent work conditions, and reduced remittance costs, and avoid a “race to the bottom”. There should be no exceptions or exclusion zones for different categories of workers. The right to organize too must be enshrined in the regional MoU and be fulfilled by the countries of destination.

States should ensure the support mechanisms available to migrant workers in the country of destination by building the capacity of their embassies and employing labour attaches to provide support to citizens in foreign countries. They should focus on providing justice mechanisms for workers that are not only compensation oriented, but also hold the perpetrators accountable.

**Climate Justice and Migrant Rights:** States and international organizations must include climate refugees in the definition of refugees. They must recognize climate change as one of the root causes that pushes people, especially the most vulnerable, into migration. States should address this root cause by putting more resources into climate adaptation, water security and food security.

**Corporate Accountability:** States must hold multinational corporations accountable on labour standards through binding treaties and regulations. Only voluntary initiatives and loose commitments are not enough. This will ensure that the workers, regardless of their status, would be fairly treated and protected.